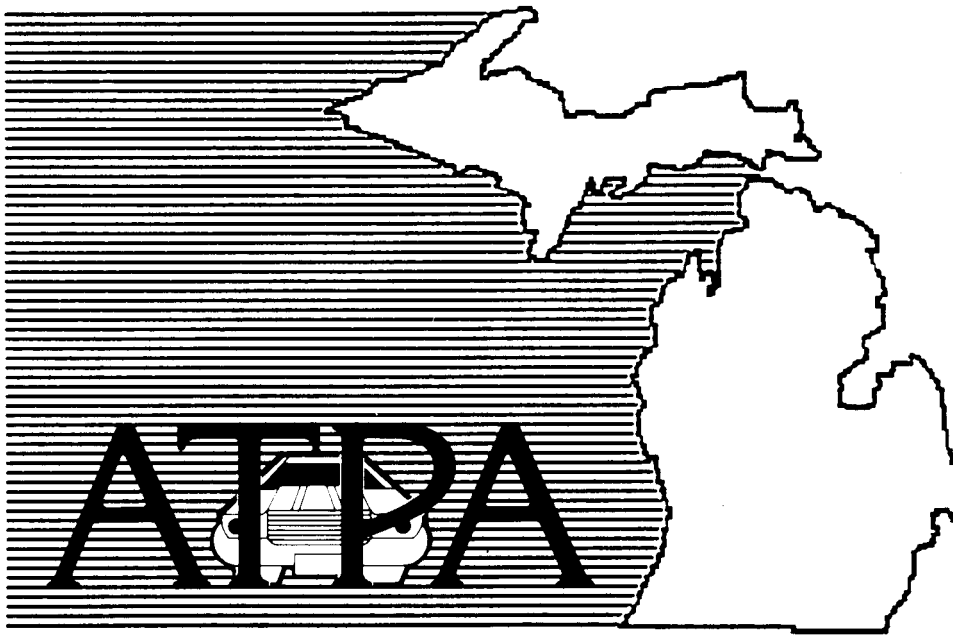


# **PLAN OF OPERATION**



**Michigan Automobile Theft Prevention Authority**

**Revised July 1998**

**Board of Directors**  
**Automobile Theft Prevention Authority**

**Chairman of the Board:**

Colonel Michael D. Robinson  
Director  
Michigan Department of State Police

**Representing Law Enforcement:**

Christopher S. Boyd  
Chief Judge  
70th District Court  
Saginaw County

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## **INTRODUCTION**

The Automobile Theft Prevention Authority (ATPA) was established with a 5-year “Sunset” provision by Act 10, P.A. of 1986, to reduce automobile theft in the state of Michigan. The authority is directed by a seven-member Board of Directors appointed by the Governor with advice and consent of the Senate. This seven-member board consists of two representatives of automobile insurance purchasers, two representatives from Michigan insurance companies, two representatives from law enforcement agencies, and the Director of the Department of State Police. The Board of Directors meets quarterly at various locations around the state, and notice of the time, date, and place is published in accordance with the open meetings act.

During 1992, the Legislature removed the “Sunset” provision and made the ATPA a permanent program with Act 174, P.A. of 1992. Further amendments were made by Act 143, P.A. of 1993.

The activities of the authority are funded by annual assessments on automobile insurance companies of \$1 per private passenger car policy year earned in the previous year. Those funds (approximately \$5.7 million annually) are awarded to various projects which fulfill the authority’s mission of initiating new programs to reduce auto theft. The authority’s list of objectives clearly indicates the types of projects the authority is seeking to fund:

- A. To provide financial support to the Department of State Police and local law enforcement agencies for economic automobile theft enforcement teams.
- B. To provide financial support to state or local law enforcement agencies for programs designed to reduce the incidence of economic automobile theft.
- C. To provide financial support to local prosecutors for programs designed to reduce the incidence of economic automobile theft.
- D. To provide financial support to judicial agencies for programs designed to reduce the incidence of economic automobile theft.
- E. To provide financial support for neighborhood, community, or business organizations for programs designed to reduce the incidence of automobile theft.
- F. To conduct educational programs designed to inform automobile owners of methods of preventing automobile theft and to provide equipment, for experimental purposes, to enable automobile owners to prevent automobile theft.
- G. To approve automobile theft prevention devices which qualify insureds for a premium discount on their automobile comprehensive coverage.

This document represents the Plan of Operation for the ATPA originally required by Act 10, P.A. of 1986. It was adopted on December 3, 1986, and amended in June 1988, June 1990, June 1991, and July 1998. It presents a general plan for the disbursement of the funds collected by the authority. This plan is a “living” document which may be revised by the Board of Directors at any time.

## **SECTION I**

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### **ELIGIBILITY FOR GRANTS**

#### **A. Eligible Organizations**

Law enforcement agencies, prosecutors, judicial agencies, neighborhood organizations, community organizations, and business organizations are eligible to apply for an Automobile Theft Prevention Authority (ATPA) grant. Grants will be awarded to enhance automobile theft prevention efforts.

#### **B. Eligible Programs**

The ATPA has established the following categories of programs eligible for funding. The authority recognizes that some overlap of effort may exist among these program categories:

- Law Enforcement/Detection/Apprehension
- Prosecution/Adjudication/Conviction
- Prevention
- Anti-Theft Devices

##### **1. Law Enforcement/Detection/Apprehension**

Funds may be allocated for the establishment of automobile theft enforcement teams and other detection/apprehension programs. Funding may be provided for state, county, municipal, and township enforcement efforts that target areas of the state which have large motor vehicle theft problems.

Although not clearly identifiable through currently available statistics, economic auto theft often transcends jurisdictional boundaries. For that reason, enforcement efforts covering multiple jurisdictional boundaries may receive priority for funding. These multiple jurisdictional efforts may include, but are not limited to, several municipalities, counties, or regions.

Detection and apprehension of automobile theft programs may include, but are not limited to, community involvement programs, detection training programs, and enhancements to information gathering programs. Community involvement programs have proven their effectiveness with increased area arrests and recovery statistics.

Detection training programs may include training in: inspection procedures, identifying fraudulent titles, investigation of suspicious claims and development of fraud profiles, and investigative methods unique to the crime of automobile theft.

Accurate data compiled by information gathering systems is required to properly assess the automobile theft program and to measure the effectiveness of programs

identified to combat it. Programs addressing enhancements to these systems may also be considered for funding.

## Law Enforcement Continued

Examples of enforcement/detection/apprehension programs that may be funded are:

- Enforcement programs utilizing law enforcement personnel, either alone or in conjunction with personnel from other fields concerned with the automobile theft problem
- Statewide training for patrol officers in the proper techniques of identifying and recovering stolen automobiles
- Programs to combat automobile theft at the street level
- Programs to reduce the incidence of insurance fraud
- Programs designed to strike at chop shop operations through covert surveillance, undercover operations, and sting operations
- Programs for information gathering systems to target repeat offenders and high theft areas
- Programs for information gathering systems to assist in measuring program effectiveness
- Programs to improve inspection and regulation of repair facilities and automobile dealers (parts dealer, distress vehicle transporter, scrap metal processor, and salvage pool operator)
- Programs to assist the insurance industry in identifying fraudulent claims
- Participation in interstate intelligence networks

## **2. Prosecution/Adjudication/Conviction**

Funding may be provided for prosecution and judicial programs designed to assist with the prosecution of persons charged with automobile theft offenses. Under this category, funding may be provided for efforts to implement legislative change that assist in the prosecution of auto thieves and the forfeiture of their property.

At present, the prosecution of vehicle theft cases has a relatively low priority at the local and state levels. This is due to: 1) auto theft is a property crime as opposed to a personal crime; 2) the judiciary is not aware of the seriousness of the crime; 3) the victim receives insurance compensation; and 4) vehicle theft prosecutions are often complex and expensive.

Despite these constraints, prosecution and conviction of automobile thieves is one of the most important means of breaking vehicle theft rings and reducing the economic incentives for automobile theft. Having a special prosecutor handle vehicle theft cases vertically through both district and circuit courts has proven very effective in achieving convictions.

### Prosecution Continued

The following programs provide examples of prosecution/adjudication programs that may be funded:

- Additional prosecution staff to concentrate on automobile theft cases
- Workshops designed to train assistant prosecuting attorneys who specialize in automobile theft prosecution
- Programs to introduce and support legislative changes in statutes pertinent to the prosecution of automobile thieves and the forfeiture of their property
- Workshops designed to educate the Michigan judiciary about the serious nature of automobile theft
- Programs to monitor judicial results of automobile theft cases
- Programs to support better employment of habitual criminal statutes

### **3. Prevention**

Although it may be difficult to measure the effectiveness of prevention, the ATPA has established this category to include programs that promote public awareness, provide public training in theft prevention measures, and support prevention programs.

Without prevention efforts and support from the public, law enforcement alone cannot effectively reduce auto thefts in Michigan. Statistics indicate that in four out of five cases of auto theft, owners have left doors unlocked; and in one out of five cases, keys have been left in the ignition. Public education campaigns and prevention training programs can increase individual awareness of the costs of auto theft, provide tips for the owners to assist in the prevention effort, and demonstrate the savings that preventive measure can yield.

In an effort to assure maximum effectiveness and statewide coverage of a prevention campaign, the authority may give preference to applications covering multiple jurisdictions over applications from individual organizations.

Examples of prevention programs that may be funded are:

- Programs that inform and educate the community about the automobile theft program through block club organizations, neighborhood watch programs, and schools
- Programs to stimulate public awareness
- Programs to inform and encourage public participation in theft prevention and enforcement efforts



#### 4. Anti-Theft Devices

The ATPA was charged in Act 10 with the responsibility for approving automobile theft prevention devices. Therefore, the authority may contract for research, establishment of testing and performance standards, and testing of anti-theft devices. That responsibility was not altered by the subsequent amendments.

The ATPA Board of Directors found that the cost of testing anti-theft devices and establishing performance standards was cost prohibitive and a process which should be born by the private sector. The board chose to describe categories of devices in broad general terms rather than specific devices.

On March 23, 1987, the authority approved interim standards for automobile theft prevention devices. Installation of those devices may qualify for a reduction in the automobile's comprehension insurance. The amount of the reduction is determined by each company.

Those interim standards were revised by the ATPA Board of Directors on June 22, 1994, to include devices which assist in the recovery of the vehicle. These standards are included as Appendix A of this document.

#### C. Annual Application Period

Since the ATPA grants are awarded competitively for a specific calendar year, an application must be made every year. Current grantees are sent an application for the next year in July. The announcement that the ATPA is accepting applications is advertised in major state newspapers, and the ATPA staff sends the announcement to all organizations (hundreds) on the current mailing list.

The deadline for all grant applications is normally mid-August.

#### D. Grant Objectives

In response to Auditor General recommendations, standardized performance objectives unique to law enforcement grantees, prosecutor grantees, and prevention grantees have been established. The objectives were developed by a committee of the affected groups reaching a consensus with the ATPA staff on the elements necessary to conduct a successful program. Samples of the three types of objectives can be found in Appendix B.

E. Eligible Expenditures

1. Regular salaries.
2. Fringe benefits.
3. Overtime salaries not to exceed five percent of the actual regular hours worked.
4. Travel and meals for officer who is required to travel outside normal territory, but not to exceed \$500 per employee.
5. Vehicle operation cost not to exceed:
  - a. *law enforcement agency* \$6,100 per employee.
  - b. *prosecutor office* \$1,300 per employee.
  - c. *non-profit organization* \$300 for mileage expense per employee.
6. Film and processing costs.
7. Office space rental.
8. Desk for new project only not to exceed \$325 per desk.
9. Chair for new project only not to exceed \$150 per chair.
10. File cabinet not to exceed \$250 per cabinet.
11. Camera not to exceed \$300 per camera.
12. Tape recorder not to exceed \$75 per tape recorder.
13. Copier usage not to exceed:
  - a. *law enforcement agency* \$200 per month.
  - b. *prosecutor office* \$500 per year.
  - c. *non-profit agency* \$200 per year.
14. Phone installation.
15. Phone usage not to exceed:
  - a. *law enforcement agency and prosecutor office* \$50 per month per person.
  - b. *non-profit agency* \$400 per year.
16. Office supplies not to exceed \$150 per year per person
17. Investigative supplies for *law enforcement agency* not to exceed \$250 per year per person.
18. Typewriter/word processor only for *law enforcement project* not to exceed \$500 per unit.
19. Typewriter/word processor for *non-profit agency* not to exceed \$300.

F. Ineligible Expenditures

1. Inordinate fringes; e.g. banked sick/vacation time, pensions, health benefits, etc.
2. Cellular phone purchase.
3. Expenditure(s) incurred before or after the grant period.
4. In-car terminals and system.
5. LEIN rental.
6. Liability insurance.
7. Membership and agency dues.
8. First class travel.
9. Entertainment.
10. Expenditures in excess of approved budget.

#### G. Law Enforcement Grant Evaluation

In order to ensure that our police units were focused on the types of arrests that have the greatest impact on reducing vehicle thefts, we developed an arrest ranking formula for the 14 major auto theft related charges. A diverse group of law enforcement grant project directors met many times over the course of a year to discuss the issues and arrived at an acceptable system.

The committee assigned points to the arrest type based upon two factors: 1) how difficult it was to investigate and prove that particular charge; and 2) how much impact the conviction of a subject on that charge would have on area vehicle thefts. At the end of a grant year, we multiply the number of arrests in each category by the assigned points value and arrive at an average points per arrest for the grant. That data assists the ATPA board in evaluating whether or not a grantee is really successful. A copy of the arrest ranking formula can be reviewed in Appendix C.

## **SECTION II**

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### **GRANT POLICY STATEMENTS**

#### **A. Distribution of Funds**

Money in the Automobile Theft Prevention Fund shall be expended in the following manner:

1. Administration of the Authority
  - Board expenses
  - Staff expenses
  - Indirect costs for the Department of State Police
2. Law Enforcement Projects
  - Theft prevention training programs
  - Programs designed to reduce the incidence of automobile theft crimes or to apprehend the criminals or to recover stolen vehicles
3. Prosecution Projects
  - Programs designed to vertically prosecute auto theft related crimes and increase convictions
4. Prevention and Educational Programs
  - Programs to train C.B. patrols or a neighborhood watch
  - Programs to educate neighborhood groups on auto theft prevention tactics
  - Programs to etch vehicle windows
5. Other Activities Which Assist in Combating Automobile Theft

The Automobile Theft Prevention Authority (ATPA) reserves the right to make all final decisions on awarding funds. It may also actively solicit applications for new programs. The Authority analyzes many factors before allocating grant funds:

- a. Severity of area auto theft problem (i.e. one law enforcement officer per 500 thefts)
- b. Auto theft trends
- c. Performance history of grant (arrests, recovery, vehicles etched)
- d. Concentration of registered vehicles in area (estimated ATPA revenues generated)
- e. MVT arrests reported in the area
- f. Amount of ATPA funding provided in the area
- g. Percentage of state vehicle thefts in the area

Utilizing these factors, the ATPA board strives to position limited resources into grants that will provide the greatest return on investment. Ideally, an area which had 10 percent of Michigan's thefts (problem) and registered vehicles (revenue)

would be awarded 10 percent of the ATPA funds. Since some grantees are more successful than others at combating auto thefts, it is a constant challenge to shift human resources from an area which has lowered thefts to an area where thefts are increasing.

B. Length of Grant Period

Grant applications are made available in July and generally must be submitted to the Authority in mid-August for staff review. Then the Authority holds public hearings on the grants and usually announces its decision in October/November.

Grants are awarded for one calendar year: January 1 through December 31. A renewal application must be prepared for the continuation of a project beyond the initial grant period. Approval of renewal applications will be based on prior accomplishments.

C. Grant Payments

Grantees awarded \$10,000 or less may request funds in advance. A grantee awarded over \$10,000 may receive a partial advance of funds but normally will be paid on a quarterly reimbursement basis.

D. Matching Funds

In order to stretch ATPA funds, the board requires law enforcement and prosecutor grantees to provide a non-ATPA share of up to 25%. This may consist of in-kind services to complement the committed ATPA share of 75% of total approved program costs.

Non-profit organizations are exempt from this requirement.

E. Reporting Requirements

All grantees must submit quarterly performance activity (progress) reports and expenditure (financial) reports which are due one month after the end of the quarter.

The schedule is listed below:

REPORTS	REPORTING PERIOD	DUE DATES
Progress & Financial Reports (EX-37 & EX-36)	1-1-XX to 3-31-XX	4-30-XX
Progress & Financial Reports (EX-37 & EX-36)	4-1-XX to 6-30-XX	7-31-XX
Progress & Financial Reports (EX-37 & EX-36)	7-1-XX to 9-30-XX	10-31-XX
Progress & Financial Reports (EX-37 & EX-36)	10-1-XX to 12-31-XX	1-31-XX

F. Audit Policy

The Authority's staff will conduct periodic audits of quarterly financial and progress reports to:

- 1) Ensure the grant money has been spent in accordance with Act 174 (P.A. 1992), authority policies, and the orientation agreement.
- 2) Determine if the project is making adequate progress on its stated goals and objectives.

An audit may be conducted on any grant - regardless of grant amount - during the grant period at the discretion of the authority or at the end of the grant period.

G. Grant Modification

Approved grant project programs or budgets may not be modified without prior written approval of the Authority. Project revision requests must be submitted to the Authority at least 30 days in advance of the need for the change. All modifications must be received prior to the fourth quarter's financial report and/or be postmarked by January 31 following the end of the grant period.

H. Forfeiture Policy

Any funds received or generated as a result of auto theft activities shall be used to enhance currently funded and/or future auto theft prevention programs. Funds received include, but are not limited to, forfeiture of cash and receipts from sale of property. If project enhancement activities are terminated, the unexpended revenues shall be promptly returned to the ATPA.

I. Additional Grant Requirements

Documentation of tax-exempt status with the Internal Revenue Service and articles of incorporation as filed with the State are required of non-governmental applicants.

An Equal Employment Opportunity report is required of grantees with paid employees.

Each application must contain a statement of post grant intent for either the continuation or termination of the project.

Eligible criminal justice agencies applying for funds for training programs are required to have sought and been denied Justice Training funds (Act 302, P.A. of 1982) prior to application for an ATPA grant.

### **SECTION III**

#### **CURRENT FUNDS ALLOCATION**

For 1998, the Automobile Theft Prevention Authority (ATPA) has distributed its available funds into the major categories listed below. This current allocation formula may change as needs demand.

<b><u>ACTIVITY</u></b>	<b><u>PERCENT OF ATPA FUNDS</u></b>	<b><u>ACTUAL AMOUNT</u></b>
ATPA Staff and Board Member Expenses	6.1	\$ 372,346
Indirect Expenses	0.3	19,200
Enforcement/Detection/Apprehension Programs	83.1	5,048,687
Prosecution/Adjudication Programs	9.2	558,974
Prevention Programs	<u>1.3</u>	<u>75,842</u>
<b>Totals</b>	100.0	\$ 6,075,049*

\*While the ATPA receives approximately \$5.7 million in annual revenues, the Authority has been able to commit this level of financial support to its projects because: 1) It did not make any awards in the year it was established, staffed, and organized; 2) Some grants lapsed funds; and 3) Interest was earned on revenue deposits.

The following table summarizes the 1998 grant awards by county. It also indicates the percentage of Michigan's auto thefts which occur in those counties and the percentage of Michigan's vehicles in the county.

<b><u>COUNTY</u></b>	<b><u>\$ AWARDED BY COUNTY</u></b>	<b><u>% OF FUNDS AWARDED</u></b>	<b><u>% OF STATE THEFTS 1997</u></b>	<b><u>% OF STATE PASSENGER VEHICLE REG. 1997</u></b>
Berrien (1)	\$ 301,553	5.2	1.2	5.9
Genesee	474,723	8.3	6.7	4.4
Ingham	60,441	1.1	1.0	2.8
Kent	225,468	4.0	2.6	5.7
Macomb	583,797	10.3	3.6	8.6
Monroe	78,255	1.4	.7	1.5
Oakland	909,256	16.0	5.6	13.4
Saginaw	154,618	2.7	1.0	2.2
St. Clair (2)	73,160	1.3	.7	3.8
Washtenaw	150,943	2.7	1.5	3.0
Wayne	<u>2,671,291</u>	<u>47.0</u>	<u>68.5</u>	<u>19.9</u>
<b>TOTALS</b>	\$ 5,683,505	100.0%	93.1%	71.2%
		Rest of State	<u>6.9%</u>	<u>28.8%</u>
			100.0%	100.0%

(1) Includes Cass, Kalamazoo, St. Joseph, and VanBuren Counties

(2) Includes Huron, Lapeer, Sanilac, and Tuscola Counties



## **SECTION IV**

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### **PROJECTED PROGRAM NEEDS**

Currently, the Automobile Theft Prevention Authority (ATPA) revenues are based upon the number of passenger vehicles that are insured in Michigan. While revenue has increased from the \$5.1 million collected in 1986 (when the program began) to the \$5.8 million received in 1998, program costs (primarily officer/employee) have greatly exceeded the 14 percent increase in revenues. In order to responsibly live within its revenues, the ATPA has gone through the process of reducing the number of officers it supports from 99 in 1989 to 80 for 1998 and mandating that law enforcement and prosecutor agencies contribute a 25 percent local match of total program costs.

The ATPA believes there is a direct connection between the lower number of officers combating auto theft and the recent upward trend in auto thefts. When we were able to fully fund 99 officers, Michigan's auto thefts were consistently reduced. It is our position that to have an optimum auto theft program we need 100 officers dedicated to apprehending the thieves and recovering the vehicles.

There is currently a bill in the legislature to amend ATPA's assessment. If that is enacted into law in its present form, we project an additional \$1.7 million in revenue which will assist us in placing more officers in high theft areas. That would bring ATPA's revenues up to approximately \$7.5 million. However, the ATPA projects a need for \$10.6 million - with some sort of inflationary protection - in order to fund 100 police officers and related support staff. The projection for an optimum auto theft program is as follows:

### ***OPTIMUM PROGRAM***

Law enforcement officers (100)	\$ 8,000,000.00
Vehicles (100)	650,000.00
Field Support Staff (13)	390,000.00
Assistant Prosecutors (10)	950,000.00
Community Organizations (10)	150,000.00
ATPA Staff and Board Expenses	500,000.00
<b>TOTAL</b>	<b>\$10,640,000.00</b>

*Regardless of the level of resources, the ATPA will make program adjustments to ensure the effective and efficient distribution of those resources and to direct the efforts of the many cooperative task forces to areas where the problem is the greatest.*

## **SECTION V**

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### **MOTOR VEHICLE THEFT IN MICHIGAN**

#### *Michigan Perspective*

Michigan is the original home of most of America's automobile manufacturers, and our citizens have embraced the individual freedoms gained by vehicle ownership. Our legislative leaders recognized this "love of the road" and have committed funds to build one of the best road networks in the United States. The success of our manufacturing economy has created higher than average personal incomes so that we can satisfy our desire for this personal freedom to travel by purchasing a motor vehicle. Personal transportation has always been more expensive than mass transportation-a vehicle is second only to a home in expense-but we have invariably chosen a personal vehicle over the option of a bus or train. In addition, the vehicle we drive has come to reflect our "success" and "status" in society.

While we have been quick to make motorized vehicles our primary means of transportation, we have probably become more dependent on our vehicles than the settlers were on their horses. Now that we have the capability to quickly and safely drive many miles, we use our vehicles every day to travel from our homes to work-sometimes as much as 100 miles one way. In those situations where we are spending up to 4 hours a day just commuting to work, it appears we may have stretched our freedom into a burden!

#### *Vehicle Theft Elements*

As much as we love our vehicles, there are two factors which contribute to them being stolen: the exterior of all vehicles include large sections of breakable glass, and there is an apparent deterioration of respect for private property in America. Those factors, one an inherent vehicle design characteristic and one a regrettable social trait, are major reasons for Michigan's motor vehicle theft problem. Why a person decides to become a thief is not within the scope of this document. However, once a person decides to steal a vehicle, entry to the target vehicle is often made by simply breaking the glass and defeating the ignition switch is normally done with the common screwdriver and hammer.

The motor vehicle theft problem is unique because many times the vehicle owner is actively involved in the crime: experts believe that 20% to 30% of motor vehicle thefts are fraudulent claims. There seems to be a prevalent attitude that insurance fraud is easy to perpetrate and seldom prosecuted. Many vehicle owners who get into financial difficulty apparently believe the insurance companies owe them a return of the premiums they have paid over the years so they file a false claim. Their vehicle may need expensive mechanical repairs; they may have canceled their collision coverage to save money and then had a serious accident; they may have lost their job and are no longer able to make the monthly payments; or they may have simply given their vehicle to someone in return for drugs or sex.

Regardless of the underlying reason, many owners arrange for their vehicle to "disappear" before they file a theft claim so they can pay off the vehicle loan. Some of

the more common methods owners use are: hide the vehicle in a friend's garage, burn the vehicle, drive the vehicle into a river or lake, have the local salvage yard crush the vehicle, or pay some one to strip the vehicle and position the "hulk" where police can prove it was stolen. To add to the complexity of this crime, some innovative owners have their vehicle carefully dismantled, report it stolen to collect the insurance claim, buy the frame back from the insurance auction, and put the original parts back on it.

### *Manufacturer Actions*

To their credit, motor vehicle manufacturers have responded to the theft problems by redesigning the door locks, ignition locks and keys, and steering column collars, and by installing a variety of security systems. Those measures have helped slow down the theft of particular models, but thieves have over time become more sophisticated and are able to defeat many anti-theft systems. On those vehicles that can only be driven with a special key or ignition code, the thieves will tow the vehicles to their "work site" to strip it or defeat the vehicle's system.

### *Law Enforcement Issues*

If all these aforementioned motor vehicle theft factors do not present enough problems for law enforcement, many theft reports are simply family disputes or boyfriend/girlfriend arguments over the use of a vehicle. Other theft reports involve arguments between the vehicle rental agency and the person who rented the vehicle. Those civil situations are supposed to be deleted from the jurisdiction's theft totals. However, many times they are not deleted and cause the state's motor vehicle theft totals to be inflated. An increasing trend is for people to purchase a vehicle with either fraudulent identification or an altered money order. Depending upon the prosecutor's view, those cases may be considered "white collar" crimes rather than motor vehicle thefts, but law enforcement agencies are compelled to respond with the same investigative resources that are normally devoted to vehicle theft.

While motor vehicle theft is considered a major crime and the Automobile Theft Prevention Authority attempts to provide the resources for an adequate law enforcement response, many law enforcement officials view vehicle thefts as an insurance company problem. Since motorists are required to insure their vehicles, it is easy to consider the insurance company as the "victim" of this property crime. So it is understandable for law enforcement officials to dedicate their limited number of officers to the battle against violent crimes instead of vehicle theft. Include the fact that thieves can make as much as \$500 for just a couple minutes work and that most subjects convicted of stealing vehicles are often not even incarcerated, and we have just described a low risk crime which is highly rewarding. It could be said that we are winking at this crime by not taking it more seriously. Some studies have revealed that motor vehicle theft is actually a training ground for criminals because most subjects who end up in prison for more serious crimes began their life of crime by stealing vehicles.

Since there is such a broad spectrum of motor vehicle thieves, it is impossible for law enforcement to utilize just one response tactic or to endorse a preferred tactic. Law enforcement officers must be as creative as the thieves in selecting appropriate tactics to catch and convict them. Officers have indicated that, even within the different categories of motor vehicle theft, they cannot identify the "best" approach. Since thieves are all

unique individuals, a tactic that works well in one case may not work in the next case. There are even differences between areas of the state: investigative techniques that work well in Grand Rapids may not be effective in Detroit and vice versa. The only agreement we have found in the law enforcement community regarding motor vehicle theft cases is that all theft investigations involve hard detective work, and the officer must be able to get into the thief's head in order to determine which technique will work.

## MICHIGAN'S MOTOR VEHICLE THEFT TREND

From 1986 to 1997, Michigan has successfully reduced motor vehicle theft incidents by almost

17 percent. The reduction would have been much greater if we could have continued the downward trend in 1994 and 1996. As the table below suggests, there may be some correlation between the 19% fewer officers supported by ATPA funds and this theft increase. However, Michigan's experience with motor vehicle theft appears more favorable when compared with the national increase of 14 percent for the same time period.

	VEHICLE THEFTS		ATPA OFFICERS	
	# MVT	% CHANGE	# OFFICERS	% CHANGE
1986	72,021			
1987	68,415	-5.01		
1988	67,211	-1.76	99	
1989	65,297	-2.85	97	-2.02
1990	65,220	-0.12	92	-5.15
1991	62,636	-3.96	90	-2.17
1992	58,037	-7.34	83	-7.78
1993	56,670	-2.36	82	-1.20
1994	60,227	6.28	72	-12.20
1995	57,895	-3.87	74	2.78
1996	62,930	8.70	79	6.76
1997	59,826	-4.90	80	1.26
<b>Net Change</b>	<b>-12,195</b>	<b>-16.9</b>	<b>-19</b>	<b>-19.2</b>

In comparison with other states, Michigan is currently ranked as the 5th highest theft state in the nation and has the 7th highest theft rate (per 100,000 population). For a historical perspective, Michigan was ranked as the 4th highest theft state in 1985 and as the 7th highest state in 1992. On the theft rate scale, Michigan ranked 2nd in 1985 and 11th in 1994.

1996 FBI MOTOR VEHICLE THEFTS					
	State	Total 1996 MVT		State	Theft Rate per 100,000 pop.
1	California	242,466	1	District of Columbia	1,837.0
2	Texas	104,928	2	Arizona	926.7
3	Florida	103,769	3	California	760.6
4	New York	89,900	4	Florida	720.6
5	MICHIGAN (UCR)	62,930	5	Maryland	711.4
6	Illinois	58,077	6	Nevada	698.3
7	Pennsylvania	49,690	7	MICHIGAN (UCR)	655.9
8	New Jersey	46,437	8	Tennessee	647.1
9	Georgia	46,215	9	Louisiana	631.6
10	Ohio	45,528	10	Georgia	628.5
11	Arizona	41,034	11	Hawaii	604.5

1996 FBI MOTOR VEHICLE THEFTS					
12	Maryland	36,083	12	New Mexico	582.2
13	Tennessee	34,428	13	New Jersey	581.3
14	Massachusetts	32,178	14	Texas	548.6
15	Washington	28,893	15	Oregon	531.0

Michigan's motor vehicle theft problem seems to follow the national trend: large urban population areas are high theft centers. For example, Wayne County houses approximately

15% of the state's population, and almost 69% of the state's motor vehicle thefts are reported

in Wayne County. Most of those thefts are reported in the City of Detroit-a jurisdiction with

a population over 1 million. The ATPA has always invested a major portion of its revenues in Detroit. However, we are unable to replace all the general funded officers that the city has eliminated in the auto theft units as a result of budget reductions over the recent years.

<b>MOTOR VEHICLE THEFTS - TOP 25 COUNTIES</b>			
<b>COUNTY</b>	<b>1986 THEFTS</b>	<b>1997 THEFTS</b>	<b>% CHANGE 1986 - 1997</b>
Wayne	43,300	40,985	-5
Genesee	3,290	4,005	22
Oakland	9,310	3,383	-64
Macomb	5,832	2,179	-63
Kent	1,778	1,557	-12
Washtenaw	1,449	921	-36
Ingham	812	622	-23
Saginaw	569	597	5
Calhoun	244	564	131
Muskegon	331	416	26
Monroe	279	396	42
Jackson	308	368	19
Berrien	408	317	-22
St. Clair	261	257	-2
Ottawa	194	251	29
Bay	175	176	1
Eaton	122	168	38
Livingston	204	160	-22
VanBuren	150	139	-7
Allegan	74	125	69
Kalamazoo	591	116	-80
Roscommon	78	112	44
St. Joseph	72	84	17
Grand Traverse	99	84	-15
Montcalm	79	82	4
<b>State Total</b>	<b>72,021</b>	<b>59,826</b>	<b>-17</b>



## **APPENDIX A**

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### **STANDARDS FOR AUTOMOBILE THEFT PREVENTION AND RECOVERY DEVICES Approved By The Michigan Automobile Theft Prevention Authority, June 22, 1994**

**Effective January 1, 1995**

The following automobile theft prevention and recovery devices have been approved by the Automobile Theft Prevention Authority (ATPA), in accordance with Act 143 P.A. of 1993. Any vehicles which are equipped with or contain these devices will qualify for a reduction in the automobile's comprehensive insurance premium. The amount of the specific reduction for each category will be determined by each insurance company, and insurers may choose to provide a greater discount to vehicles which have devices from two or more categories.

Two categories of effectiveness in preventing vehicle theft have been identified, as well as one category for systems which assist in the recovery of the vehicle if it is stolen. Proper use of the systems described in categories one and two will respectively provide an optimum level and a minimum level of theft deterrence. A vehicle properly equipped with a recovery device will enhance efforts to recover the vehicle.

#### **1. CATEGORY ONE - PASSIVE SYSTEMS PROVIDING OPTIMUM LEVEL OF SECURITY**

The systems in this category will provide the optimum level of deterrence. To qualify for this discount, the vehicle must be equipped with at least one passive device (device is activated automatically when the vehicle's ignition key is removed).

- A. A passive alarm system which has a back-up battery and meets or exceeds criteria established in Category Two.
- B. Passive disabling devices which prevent the vehicle's steering, fuel, transmission/transaxle, ignition or starting systems from operating, and devices which prevent the vehicle's braking system from releasing.
- C. A passive time delay ignition system which allows the vehicle to be started only after a preset delay or delayed ignition cut-off system which disables the vehicle at a preset engine speed.
- D. A passive vehicle entry/ignition key system.

#### **2. CATEGORY TWO - ACTIVE SYSTEMS PROVIDING A MINIMUM LEVEL OF SECURITY**

Any of the systems in this category will provide at least a minimum level of deterrence. To qualify for a discount, the vehicle must be equipped with at least one of these listed devices (which must be manually activated by the vehicle owner prior to leaving the vehicle). An insurer may chose to offer an increased discount if the vehicle has two or more of these devices.

- A. Alarm only devices--activated by a door, hood, or trunk being opened or by motion inside the vehicle--which sound an audible alarm that can be heard at a distance of at least 300 feet for a minimum of three minutes, or
- B. Manually activated disabling devices which prevent the vehicle's steering, fuel, transmission/transaxle, ignition or starting systems from operating, and devices which prevent the vehicle's braking system from releasing.
- C. Etching of 17 digit VIN on windshield, rear window glass, and both front door windows.

#### **3. CATEGORY THREE - SYSTEMS WHICH ASSIST IN VEHICLE RECOVERY**

The systems in this category enhance the effort to recover the vehicle after it is stolen.

- A. A device which, when activated, emits an electronic signal that can be tracked by either a law enforcement agency or by a private monitoring station which relays the information on the vehicle's location to law enforcement officers.

## **APPENDIX B**

### **LAW ENFORCEMENT MEASURABLE OBJECTIVES**

- 1) Increase the prosecution for economic auto theft by focusing team's efforts on making high point-value motor vehicle theft-related arrests.
- 2) Reduce the economic gain associated with auto theft by recovering at least 12 stolen vehicles or parts/equipment incidents per ATPA funded officer and by constantly identifying possible insurance frauds.
- 3) Achieve a high rate of return on the investment of ATPA grant monies by, at a minimum, recovering more in stolen vehicles/parts/equipment value than the ATPA's total approved budget for the project.
- 4) Comply with all ATPA guidelines/policies and those of the Uniform Crime Reporting System.
- 5) Maintain clear and reliable documentation for project's performance activity and financial expenditures.
- 6) Report dollar amount deposited into forfeiture account following auction.
- 7) Act as prevention/apprehension training resource for project area agencies.

### **EVALUATION - REPORTING CRITERIA**

- 1) Number 14 point MVT related arrests
- 2) Number 12 point MVT related arrests
- 3) Number 10 point MVT related arrests
- 4) Number 8 point MVT related arrests
- 5) Number 6 point MVT related arrests
- 6) Number 4 point MVT related arrests
- 7) Number other type arrests
- 8) Number passenger vehicles recovered
- 9) Dollar value of recovered passenger vehicles
- 10) Number other vehicles recovered
- 11) Dollar value of other vehicles recovered
- 12) Number parts recovery incidents
- 13) Dollar value of recovered parts/equipment
- 14) Dollar amount deposited into forfeiture account following auction
- 15) Number auto theft training sessions presented

### **PROSECUTOR MEASURABLE OBJECTIVES**

- 1) Provide full-time access to the judicial system for ATPA funded auto theft units in your area and provide them with a regular opportunity to discuss cases and legal issues.
- 2) Vertically prosecute all selected auto theft related cases.
- 3) Maintain a policy of only plea bargaining when absolutely necessary.
- 4) Achieve an overall conviction rate of 80%.
- 5) Achieve a trial conviction rate of 70%.
- 6) Strive for maximum sentence lengths for defendants and utilize habitual criminal provisions as often as possible.

- 7) Maintain reliable financial and performance records for the project.

## **EVALUATION - REPORTING CRITERIA**

### **CASE INTAKE**

- 1) Number cases initiated
- 2) Number preliminary exams held
- 3) Number preliminary exams waived

### **DISPOSITIONS**

- 4) Number cases disposed pre-trial
- 5) Number defendants who pled guilty to original charge
- 6) Number defendants who pled guilty to lesser included charge
- 7) Number plea bargain dismissals
- 8) Number other dismissals
- 9) Number cases disposed by trial (jury/judge)
- 10) Number defendants convicted on original charge
- 11) Number defendants convicted on reduced charge
- 12) Number defendants incarcerated
- 13) Number defendants fined/placed on probation

### **OTHER**

- 14) Number defendants convicted as habitual criminal

## **NON-PROFIT MEASURABLE OBJECTIVES**

- 1) Conduct 12 auto theft awareness programs/seminars in neighborhoods.
- 2) Participate with the ATPA on major VIN etching programs in the urban area and etch 300 vehicles.
- 3) Distribute 3,000 fliers/brochures on auto theft prevention programs in your area.
- 4) Develop and publish six articles about auto theft prevention in association's newsletter.
- 5) Train/coordinate CB patrols or "Neighborhood Watch" programs to assist police in identifying stolen/abandoned vehicles and chop shop locations.
- 6) Maintain clear and reliable documentation of project's financial expenditures and performance activity.
- 7) Comply with all the guidelines and policies of the ATPA.

## **EVALUATION - REPORTING CRITERIA**

- 1) Number programs/seminars conducted
- 2) Number of vehicles etched
- 3) Number fliers/brochures distributed
- 4) Number of theft prevention articles published in newsletters

- 5) Number CB patrols or “Neighborhood Watch” programs trained/coordinated

## APPENDIX C

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ARREST RANKING FORMULA		
FELONY CHARGES *	MAXIMUM SENTENCE	ARREST POINTS
Chop Shop Or Interstate Transportation	5 Yrs.	14
False Pretenses - Insurance Fraud	10 Yrs.	12
False Statement In Application For Title	10 Yrs.	12
Altering Vin With Intent To Mislead	4 Yrs.	10
Possess Stolen Vehicle With Intent To Pass Title	10 Yrs.	10
R & C Stolen Property Over \$100	5 Yrs.	8
UDAA	6 Yrs.	6
Larceny By Conversion Over \$100	5 Yrs.	6
False Police Report	90 Days	4
Repair - Salvage Facility Violation	2 Yrs.	4
B & E Motor Vehicle	5 Yrs.	4
Larceny From Motor Vehicle	5 Yrs.	4
All Other Charges		2

\*Attempted crimes or conspiracy to commit crime earn same points as listed.

- NOTE:
- 1) Project takes credit for most serious charge against subject and ignores others.
  - 2) Project takes credit for original arrest charge even if reduced later by prosecutor.
  - 3) The number of warrants obtained or number of counts may be counted also.
  - 4) If subject is arrested on three separate warrants, project may count three arrests.
  - 5) Projects need to document arrests with copy of warrant or booking report/finger print cards.
  - 6) Projects need to maintain an arrest log which provides: arrest date, complaint number, arrest charge, warrant number or booking/finger print card number.

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